

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEW JERSEY**

KIMBERLY COLE, ALAN COLE,  
JAMES MONICA, LINDA BOYD,  
MICHAEL MCMAHON, RAY  
SMINKEY, JAMES MEDDERS, JUDY  
MEDDERS, ROBERT PEPERNO, and  
SARAH PEPERNO, and KELLY  
MCCOY, on behalf of themselves and all  
others similarly situated,

*Plaintiffs,*

vs.

NIBCO, Inc.,

*Defendant.*

Counsel for the parties respectfully propose the following framework and dates for future proceedings in this case:

- 1) Deadline for Plaintiffs to (a) file a reply brief in support of their motion for class certification; and (b) file an opposition to NIBCO's summary judgment motion:
  - Current Deadline: **July 10, 2017**
  - Proposed Deadline: **July 28, 2017**
- 2) Deadline for the parties to file any *Daubert* motion(s):
  - Proposed Deadline: **July 28, 2017**
- 3) Deadline for the parties to file an opposition to any *Daubert* motion(s):
  - Proposed Deadline: **August 18, 2017**

- 4) Deadline for NIBCO to file a reply in support of its summary judgment motion:
  - Current Deadline: **August 4, 2017**
  - Proposed Deadline: **August 28, 2017**
- 5) Deadline for the parties to file a reply brief in support of any *Daubert* motion(s):
  - Proposed Deadline: **September 1, 2017**

**AGREED TO BY:**

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*Counsel for Defendant NIBCO Inc.*

**EXHIBIT A**

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEW JERSEY**

KIMBERLY COLE, ALAN COLE,	:	
JAMES MONICA, LINDA BOYD,	:	Civil Action No. 3:13-cv-07871-FLW-
MICHAEL MCMAHON, RAY	:	TJB
SMINKEY, JAMES MEDDERS,	:	
JUDY MEDDERS, ROBERT	:	
PEPERNO, and SARAH	:	<u>CLASS ACTION</u>
PEPERNO, and KELLY MCCOY,	:	
on behalf of themselves and all	:	
others similarly situated,	:	
	:	
Plaintiffs,	:	
	:	
vs.	:	
	:	
NIBCO, Inc.,	:	
	:	
Defendant.	:	

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**[PROPOSED] ORDER**

The Joint Discovery Plan is **GRANTED** and the Court hereby sets the following deadlines for future proceedings in this case:

1) Deadline for Plaintiffs to (a) file a reply brief in support of their motion for class certification; and (b) file an opposition to NIBCO's summary judgment motion:

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2) Deadline for the parties to file any *Daubert* motion(s):

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3) Deadline for the parties to file an opposition to any *Daubert* motion(s):

\_\_\_\_\_.

4) Deadline for NIBCO to file a reply in support of its summary judgment motion:

\_\_\_\_\_.

5) Deadline for the parties to file a reply brief in support of any *Daubert* motion(s):

\_\_\_\_\_.

**IT IS SO ORDERED on this \_\_\_\_\_ day of \_\_\_\_\_, 2017.**

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**Hon. Tonianne J. Bongiovanni**  
**United States Magistrate Judge**